

## **Article XIV. Town Meeting**

### **Sec. 14.01. Purpose.**

The voters of the town reserve to themselves the right to approve certain actions through a vote at a municipal election or town meeting and to that end establish a town meeting with secret ballot as hereinafter provided. (Added by vote of the people 6-11-02; amended by vote of the people 11-6-07)

### **Sec. 14.02. Governing statute.**

The town meeting is governed by the provisions of Titles 30-A and 21-A of the Maine Revised Statutes. (Added by vote of the people 6-11-02; amended by vote of the people 11-3-09)

### **Sec. 14.03. Town meeting eligibility.**

The provisions of Title 30-A to the contrary notwithstanding, only the following are subject to disposition through a municipal election, preceded by a public hearing, or through a town meeting as provided herein:

- (1) Amendment, change, revision or repeal of the comprehensive plan, or adoption of a new comprehensive plan.
- (2) Sale of real property excepting property acquired for non-payment of taxes.
- (3) That part of the capital program which is proposed for the ensuing fiscal year.
- (4) Unless fully-funded by bond issue under Sec. 6.07, or by a dedicated reserve account, any expenditure greater than \$125,000, as long as that expenditure does not cause the unencumbered surplus to fall below an amount equal to the equivalent of 2 ½ months of current year operating budget, per item, project, or an aggregate of same, for:
  - (a) Acquisition of real property;
  - (b) Acquisition of motor vehicles or equipment; or
  - (c) Repair, renovation, or new construction of buildings or structures.
- (5) Unless an emergency appropriation under Sec. 6.09.(2), any appropriation greater than \$125,000:
  - (a) From the unencumbered surplus; or
  - (b) Which is supplemental to the current annual budget.

(Added by vote of the people 6-11-02; amended by vote of the people 11-6-07; amended by vote of the people 11-3-09; amended by vote of the people 6-8-10)

### **Sec. 14.04. Town meeting.**

The town meeting consists of 2 parts, viz: the public hearing and the secret ballot. (Added by vote of the people 6/11/02; amended by vote of the people 11-3-09)

### **Sec. 14.05. Public hearing.**

The public hearing will be held at the regularly scheduled council meeting immediately preceding the second Tuesday in June for open debate with secret ballot vote on the second Tuesday in June. The public hearing must consider the proposed capital program; other issues eligible under Sec. 14.03 may come before the public hearing. (Added by vote of the people 6-11-02; amended by vote of the people 11-3-09)

### **Sec. 14.06. Voter information.**

The town clerk must make provision for a sample ballot to be posted on the town website and at the Municipal Office, the Post Offices at Kittery and Kittery Point and the Solid Waste Facility at least 14

days prior to the public hearing. (Added by vote of the people 6-11-02; amended by vote of the people 11-3-09)

**Sec. 14.07. Discontinuance of town meeting.**

Voters of the town may at any time propose discontinuance of the town meeting by filing with the town clerk a petition requesting reference to referendum. The petition must be signed by a number of qualified voters of the town totaling not less than 10% of the number of qualified voters of the town who cast votes in the previous gubernatorial election. The council shall call a public hearing in the manner prescribed in section 2.14(2), but to be held within 30 days from the clerk's receipt of the petition, and shall within 60 days after the public hearing hold a special election for the purpose of submitting to referendum the question of discontinuance. If the majority of legal votes cast at referendum favor discontinuance, the powers vested in the town meeting are conferred upon and exercised by the town council. (Added by voted of the people 6-11-02)